



DUEY STROEBEL

STATE SENATOR • 20TH DISTRICT

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DOJ Ends Federal Probe of Wisconsin School Choice Program

Madison, WI – This week the Department of Justice ended its years long probe of Wisconsin's Parental Choice program. What started with accusations of discrimination against students with disabilities ended in a quiet whimper. Despite the claims made by Disability Rights Wisconsin, the Department of Justice matter-of-factly determined that "no further action is warranted at this time, and is formally closing its investigation into DPI's administration of the MPCP program."

In response, Sen. Duey Stroebel (R-Cedarburg) issued the following statement:

Those who support providing education options to Wisconsin parents certainly have reason to celebrate the DOJ's closure of its investigation. However, any Wisconsinite who is concerned about our state's right to conduct its own affairs vis-à-vis the federal government should be appalled. As noted by legal and education experts such as the Wisconsin Institute for Law and Liberty and School Choice Wisconsin, the investigation was baseless from its inception. As highlighted by the DOJ itself, Title II of the ADA applies to public entities. By definition, any school participating in Wisconsin's choice program is a private entity.

Setting aside the foundationless nature of the complaint, the probe revealed that those schools participating in the program do everything within their power to accommodate students with special needs. When DPI set up a system whereby parents could file complaints regarding discrimination by choice schools based on disability, not a single complaint was filed. In addition, recognizing that private schools receive much less per-pupil than their public school counterparts, especially with respect to students with disabilities, the legislature and Governor addressed this inequity by creating the special needs voucher program.

Finally, it is important to note the significance of this victory. Despite the DOJ's attempt to impose its will on DPI, the state of Wisconsin resisted the efforts of the federal government to force private institutions to comply with requirements not found in state law. The principle of federalism, rooted in our Tenth Amendment, does still matter. The State of Wisconsin and conservative allies such as WILL will not back down from an increasingly overbearing federal government.

Senator Stroebel represents the 20th Senate District which includes parts of Ozaukee, Washington, Fond du Lac, Calumet and Sheboygan Counties. He lives in Cedarburg with his wife Laura and eight children.

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